



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Handwritten initials: H.H. (top left), H.H. (top right)

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. |
|-----------------|-------------|----------------------|---------------------|
| 09/017,224 | 02/02/98 | HANSEN | C 43876-089 |

MCDERMOTT WILL AND EMERY
600 THIRTEENTH STREET NW
SUITE 1200
WASHINGTON DC 20005-3096

WM02/1115

EXAMINER

TRAN, K

ART UNIT

PAPER NUMBER

2631

9

DATE MAILED:

11/15/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/017,224

Applicant(s)

HANSEN et al

Examiner

KHAI TRAN

Group Art Unit
2631



☒ Responsive to communication(s) filed on Jun 13, 2000

☒ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire three month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-8 is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☒ Claim(s) 1 and 5 is/are allowed.

☐ Claim(s) _____ is/are rejected.

☒ Claim(s) 2-4 and 6-8 is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

--- SEE OFFICE ACTION ON THE FOLLOWING PAGES ---

Art Unit: 2631

DETAILED ACTION

1. The amendment A filed on 6/13/2000 has been entered. Claims 1-8 are pending in this Office action.

Claim Rejections - 35 USC § 102

2. Claims 1 and 5 remain rejected under 35 U.S.C. 102(b) as being anticipated by Snyder (U.S. Pat. 5,422,914).

Regarding claims 1 and 5, Snyder discloses a system for synchronizing data between two devices operating at different clock frequencies comprising: receiving the data stream at a rate of the first clock, loading (sequentially) the data stream into a plurality of registers at a first clock rate (14,16); a control circuitry (34) which generates a synchronization signal having a frequency proportional to a ratio of the first clock rate and a second clock (see Abstract); reading the plurality of registers at a rate corresponding to the frequency of the synchronization signal (see Abstract, summary of the invention, col.3, line 42 to col.4, line 21 and col.5, line 4 to col.6, line 43).

Therefore, claims 1 and 5 are anticipated by Snyder.

Allowable Subject Matter

Art Unit: 2631

3. Claims 2-4, 6-8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

4. Applicant's arguments filed 6/13/2000 have been fully considered but they are not persuasive.

The Applicant mainly argues that Snyder fails to teach the differential analyzer generating a synchronization signal, and functions to spread the N words of data as evenly as possible over M clock cycles. Therefore, Snyder teaches a system wherein a data processor communicates with address and data busses **without any synchronizing methods or systems.**

In response to Applicant's arguments, Snyder discloses a data synchronization system comprising a control circuitry (34) which generates a synchronization signal having a frequency proportional to a ratio of the first clock rate and second clock (see Abstract). Furthermore, Snyder discloses the control circuit (34) generating a first and second control signals. The first and second signals are characterized by a period. The period equals a quotient of the integer N and the frequency of the first device, where the ratio of the clock frequencies of the first and second device may be expressed as N:M in simplest form (col.2, lines 22-54). Also, in Figure 4 depicts a

Art Unit: 2631

circuit for synchronizing a single data bit signal between two devices (col.7, lines 42-49), the synchronization signal is therefore generated. The functions to spread the N words of data as evenly as possible over M clock cycles are claimed in the claims 1 and 5.

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

6. **Any response to this final action should be mailed to:**

Box AF

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 305-3988, (for formal communications; please mark
"EXPEDITED PROCEDURE")

or:

(703) 308-6743, (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Art Unit: 2631


Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Khai Tran** whose telephone number is **(703) 305-1876**. The examiner can normally be reached on Monday-Thursday from 9:00 AM to 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Chi Pham**, can be reached on **(703) 305-4378**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4900.

UK
Khai Tran
November 10, 2000



CHI PHAM
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600 11/14/00

ATTACHMENT TO AND MODIFICATION OF
NOTICE OF ALLOWABILITY (PTO-37)
(November, 2000)

NO EXTENSIONS OF TIME ARE PERMITTED TO FILE CORRECTED OR FORMAL DRAWINGS, OR A SUBSTITUTE OATH OR DECLARATION, notwithstanding any indication to the contrary in the attached Notice of Allowability (PTO-37).

If the following language appears on the attached Notice of Allowability, the portion lined through below is of no force and effect and is to be ignored¹:

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE **THREE MONTHS** FROM THE "DATE MAILED" of this Office action. Failure to comply will result in ABANDONMENT of this application. ~~Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).~~

Similar language appearing in any attachments to the Notice of Allowability, such as in an Examiner's Amendment/Comment or in a Notice of Draftperson's Patent Drawing Review, PTO-948, is also to be ignored.

¹ The language which is crossed out is contrary to amended 37 CFR 1.85(c) and 1.136. See "*Changes to Implement the Patent Business Goals*", 65 *Fed. Reg.* 54603, 54629, 54641, 54670, 54674 (September 8, 2000), 1238 *Off. Gaz. Pat. Office* 77, 99, 110, 135, 139 (September 19, 2000).